

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RODRIGO FLORES,

Plaintiff,

-against-

ARSTRAT, LLC,

Defendants.

Docket No. 17-cv-6972

NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE, that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Arstrat, LLC (“Arstrat”) hereby gives notice of the removal of this action from the District Court of the County of Nassau, where it is now pending, to the United States District Court for the Eastern District of New York. In support of this Notice of Removal, Defendants states:

1. Plaintiff filed a Verified Complaint styled *Rodrigo Flores v. Arstrat, LLC*, bearing Index No. cv-014214-17 before the District Court of Nassau County. A copy of the Complaint is annexed hereto as Exhibit A.

2. Defendant received the Complaint on November 1, 2017.

3. The Complaint alleges, in sum and substances, that Defendant violated the Federal Fair Debt Collection Practices Act, 15 U.S.C. §1692 *et seq.*. Accordingly, this action may be removed pursuant to 28 U.S.C. § 1441(b) as this Court has federal question jurisdiction under 28 U.S.C. §1331.

4. Additionally, the Court has supplemental jurisdiction over any state law claims, to the extent such claims exist, pursuant to 28 U.S.C. § 1367.

5. This Notice of Removal is timely filed within thirty (30) days after Defendant first received a copy of the initial pleadings setting forth the claims for relief and existence of

federal questions jurisdiction. 28 U.S.C. §1446(b); *See Boone v. Thane*, 07-CV-4358 (SLT)(VVP), 2009 WL 910556 at *2 (E.D.N.Y. March 31, 2009); *citing Fernandez v. Hale Trailer Brake & Wheel*, 332 F.Supp.2d 621, 624 (S.D.N.Y. 2004).

6. A civil cover sheet and the payment of the required filing fee accompanies this Notice as Exhibit B.

7. Written notice of this Notice of Removal will be filed in the District Court of the County of Nassau.

WHEREFORE, Defendant Arstrat, LLC respectfully requests that this action be removed from the District Court of the County of Nassau to the United States District Court for the Eastern District of New York.

Dated: New York, New York
November 30, 2017

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